

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of: | Witten, Mark et al. | Confirmation No.: | 2057 |
| Serial No.: | 10/645,839 | Art Unit: | 1654 |
| Filed: | August 22, 2003 | Examiner: | Heard, Thomas Sweeney |
| For: | AMELIORATION OF EFFECTS OF CIGARETTE SMOKE | Attorney Docket No.: | 12241-022-999 |

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 and §1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references listed on the attached List of References Cited by Applicant.

Enclosures accompanying this Information Disclosure Statement include a list of all patents, publications, applications, or other information submitted for consideration by the office.

Legible copies of References C01-C08 are submitted herewith.

Applicants respectfully request that the Examiner review the references and that the references be made of record in the file history of the application.

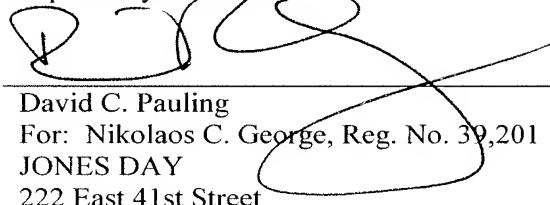
Identification of references listed on PTO Form 1449 is not to be construed as an admission of Applicants or attorneys for Applicants that such references are available as "prior art" against the subject application.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b), before the mailing of the first Office action on the merits. Accordingly, no fee is required.

The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Jones Day Deposit Account No. 50-3013 (referencing 876946-999022).

Date: October 7, 2008

Respectfully submitted,


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